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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

26 MAY 1993 DOCKET FILE COPY ORIGINAL

Docket-222
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MAY 27 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
IN REPLY REFER TO

7330-7/1700A3

Honorable Jon Kyl
House of Representatives
2440 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Kyl:

This is in reply to your letter of May 3, 1993, in which you inquired on behalf of your constituent, James D. Bruner, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals, plus a discussion paper released March 1, 1993.

We are sensitive to the needs of users of private land mobile radio spectrum and the impact that these proposals may have on their radio systems. We will endeavour to protect all private land mobile radio systems, including those operated by public safety entities. Your letter will be included in the record of this proceeding and will be fully evaluated when we develop final rules.

We want to thank you for your interest in this proceeding. We expect to issue final rules in 1994.

Sincerely,

Edward R. Jacobs

Edward R. Jacobs
Deputy Chief, Land Mobile and
Microwave Division

Enclosures

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THIS DATE
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OFFICE OF THE SECRETARY
FEDERAL COMMUNICATIONS COMMISSION

Congressional

DUE 5-27-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 05/20/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9302115	05/20/93	05/03/93	06/08/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Jon Kyl	BC

CONSTITUENT'S NAME	SUBJECT
James D Bruner	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/Lm 5-20			
DATE	DATE	DATE	DATE
05/20/93			

REMARKS:

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PRIVATE SECRETARY

Congress of the United States

House of Representatives

Washington, D.C.

April 24,, 19.93...

Congressional Liaison
Federal Communications Comm.
Washington, D.C. 20554

Sir/Madam: --

The attached communication is sent for your consideration. Please investigate the statements contained therein and forward me the necessary information for reply, returning the enclosed correspondence with your answer.

Yours truly,


JON KYL, M.C.

ATTN:tg



COMMISSIONER

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

PRB
92-235
2118

May 3, 1993

The Honorable John Kyl
House of Representatives
Washington, DC 20515

Dear Mr. Kyl:

This is in response to your April 24 inquiry by which you forwarded a letter from Mr. James D. Bruner regarding a proposed rule change by the Federal Communications Commission.

Your letter was inadvertently sent to the Internal Revenue Service. Therefore, we have taken the liberty of referring your letter to the Federal Communications Commission for reply.

If you have any questions, please contact Mary Ann Wells on (202) 622-3730.

Sincerely,

Mary A. Wells

J Gayle G. Morin
Assistant to the Commissioner
(Legislative Liaison)

✓ cc: FCC

Office of the
Board of Supervisors
James D. Bruner
Chairman



APR 21 REC'D

April 19, 1993

The Honorable Jon Kyl
2440 Rayburn House Office Building
Washington, D.C. 20515-0304

Dear Representative Kyl:

SUBJECT: PR DOCKET NO. 92-235 FCC PART 88

The Federal Communications Commission is proposing a major rule change (PR Docket No. 92-235 FCC Part 88) that if adopted will seriously cripple Maricopa County's ability to serve the public, particularly in the areas of Health and Transportation. Maricopa County has written to the Secretary of the FCC protesting the change and I have attached a copy.

The impact of the passage of this new rule will have a strong negative impact on Maricopa County's services. I appreciate any help you can provide with this issue, and please feel free to contact me if I can assist in any way possible.

Sincerely,

A handwritten signature in cursive script, reading "Jim Bruner".

JAMES D. BRUNER
CHAIRMAN
BOARD OF SUPERVISORS

Enclosure

1993 APR 28 AM 10:27

Tom Rawles
District 1

James D. Bruner
District 2

Betsey Bayless
District 3

Ed King
District 4

Mary Rose Garrido Wilcox
District 5

DEPARTMENT OF TELECOMMUNICATIONS

County Administration Building Suite B-60
301 West Jefferson
Phoenix, Arizona 85003



William E. Cassels
Director

(602) 506-1109

February 15, 1992

Office of the Secretary
Federal Communications Commission
Washington, DC 20554

RE: PR Docket No. 92-235 COMMENTS

Mr. Secretary;

Maricopa County, Arizona is one of the nations largest counties. The County's population ranks 7th in the nation with over 2.2 million and is the fastest growing of the top 10 counties. Our geographical area spans a vast 9228 square miles of desert and mountainous terrain. The large population base and expansive geographical area requires the County to be extremely dependent on radio communications to service the public.

The County is a member of APCO Inc. and supports the efforts of APCO Project 25 and the comments that APCO has submitted to the FCC relating to PR Docket No. 92-235. The County feels that APCO Inc. has sufficiently stated our position on the technical issues of PR Docket No. 92-235. However, APCO Inc. could not represent it's members on the financial impact that would be caused by the adoption of FCC Part 88 as written.

As with most other governmental entities, Maricopa County is struggling under a current repressed economy. The State and Federal Governments mandate programs down to the local government level without providing for the funding of the programs. As far as the County is concerned, the new FCC Part 88 is nothing more than another Federally mandated, non-funded program that is being passed down to the local government level.

The County can not afford to install the new radio communications sites to make up for the crippling lack of coverage that we will suffer with a 5.0 watt Effective Radiated Power. The average height above terrain for the County varies widely and is spread over 9228 square miles. The problem is that the County is not flat with mountain peaks dispersed. We have canyons and arroyos and need higher than a 5.0 watt ERP to provide for a 5.0 microvolt receive carrier level. In fact it may not be logistically possible to built new communications sites in areas of the County to make up for the loss of the higher ERP.

February 15, 1993

Page 2

The fact is that it will cost Maricopa County, ultimately it's citizens, \$10,000,000 to replace existing radio equipment with new narrow band equipment. If we have to reduce ERP we are looking at costs exceeding \$30,000,000 in the construction of new radio sites to provide the needed coverage. That is if we can build sites that will provide the required coverage.

Several offices within Maricopa County depend on radio communications to provide services to the public. Among these services are Public Safety (Sheriff & Civil Defense), Health (Medical Center) and Transportation (Highway & Flood Control). The financial effects of FCC Part 88 will severely cripple the services that these organizations provide to the public.

Maricopa County understands the need for better spectrum efficiency. We would only hope that the Federal Communications Commission would consider the costs related to the implementation of FCC Part 88. We believe that the comments of APCO Inc. could be incorporated into a migration plan of a modified FCC Part 88.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. E. Cassels", written in a cursive style.

William E. Cassels,
Director